

REV. 11/98
For Other Than A Small Entity



Gp ~~2700~~
2838

Docket No. LT-5 Reissue

Applicant : Carl T. Nelson
Serial No. : 08/794,374
Filed : December 10, 1996
For : SWITCHING VOLTAGE REGULATOR CIRCUIT
Group Art Unit : 2700
Examiner : Hien H. Phan

Hon. Assistant Commissioner
for Patents
Washington, D.C. 20231

RECEIVED
MAY 12 1999
Group 2700

TRANSMITTAL LETTER

RECEIVED
MAY 13 1999
TECHNOLOGY CENTER 2800

Sir:

Transmitted herewith: [X] an Updated Status of
Concurrent Litigation; to be filed in the above-identified
patent application.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[] A fee for additional claims is required.

The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	*	=	X \$ 18 =	\$
INDEPENDENT CLAIMS	-	**	=	X \$ 78 =	\$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				+ \$260 =	\$

* If less than 20, insert 20.

TOTAL \$

** If less than 3, insert 3.

[] A check in the amount of \$_____ in payment of the filing fee is transmitted herewith.

[X] The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge \$_____ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

[] The following extension is applicable to the Response filed herewith; [] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$380.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [] \$870.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [] \$1,360.00 extension fee for response within fourth month pursuant to 37 C.F.R.

§ 1.136(a); \$1,850.00 within fifth month pursuant to
37 C.F.R. § 1.36(a).

[] A check in the amount of [] \$110.00; [] \$380.00;
[] \$870.00; [] \$1,360.00; [] \$1,850.00 in payment
of the extension fee is transmitted herewith.

[X] The Commissioner is hereby authorized to charge
payment of any additional fees required under
37 C.F.R. § 1.17 in connection with the paper(s)
transmitted herewith, or to credit any overpayment
of same, to Deposit Account No. 06-1075. A
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transmitted herewith.

[] Please charge the [] \$110.00; [] \$380.00;
[] \$870.00; [] \$1,360.00; [] \$1,850.00; extension
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5-699

SUSAN B. SNIDER

Susan Snider
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. LT-5 Reissue

APPLICATION FOR REISSUE
OF U.S. PATENT 4,823,070

Date of Issue : April 18, 1989
Inventor : Carl T. Nelson
Title : SWITCHING VOLTAGE REGULATOR
CIRCUIT
Assignee : Linear Technology Corporation
Reissue Serial No. : 08/794,374
Reissue Filing Date : December 10, 1996
Examiner : Hien H. Phan, Art Unit 2700

Hon. Assistant Commissioner
for Patents
Washington, D.C. 20231

May 6, 1999

UPDATED STATUS OF CONCURRENT LITIGATION

Pursuant to a telephone request from Special Programs Examiner Phan on April 27, 1999, applicant hereby provides an updated status report on the concurrent litigation, in view of which the proceedings in the above-identified reissue application are suspended.

The concurrent litigation involves United States patent 4,775,741 assigned to Linear Technology Corporation ("LTC"), which shares a common filing date with LTC's U.S. Patent 4,823,070 now in reissue. In the litigation, the defendant Micrel raised the defense that claims of LTC's '741 patent are invalid in view of the on-sale bar of 35 U.S.C. § 102(b).

On April 1, 1997, the Patent and Trademark Office issued a Decision on Request for Suspension of Action that suspended the proceedings in the above-identified reissue application pending the outcome of concurrent litigation.

On September 20, 1997, applicant informed the Office that a trial date for the subject litigation had been set for January 20, 1998. That trial date was postponed until April 7, 1998.

On April 7-10, 1998, the Court conducted a trial on the on-sale bar defense raised by the defendant Micrel. After the trial, the parties submitted Post-trial Proposed Findings of Fact and Conclusions of Law.

On November 12, 1998, LTC notified the Court of a recent decision by the United States Supreme Court in the case of Pfaff v. Wells Electronics, Inc., 119 S. Ct. 304 (1998). In March 1999, the parties submitted additional notices to the Court concerning recent on-sale bar decisions.

The Court continues to have the matter under submission.

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5-6-99

SUSAN B. SNIDER

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Signature of Person Submitting

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